IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA TERRE HAUTE DIVISION

CAUSE NO. 2:08-CV-399-LJM-JMS
(

ORDER

Respondent, by counsel, filed a first motion for enlargement of time to serve a return to the Court's Order to Show Cause why habeas relief should not be **GRANTED** in the above-entitled cause.

The Court, having read and considered the request and being duly advised in the premises, now finds that the motion should be **GRANTED.**

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Respondent is **GRANTED** an enlargement of time, up to and including January 22, 2009, within which to serve a return.

Dated: 12/10/2008

VARRY J. McKINNEY, JUDO United States District Court Southern District of Indiana

Copies:

Philip Charles Smith Attorney At Law 2901 Ohio Boulevard, Suite 139 Terre Haute, IN 47803

Stephanie Rothenberg, Office of Attorney General, Indiana Government Center South, 5th Floor, 302 West Washington Street, Indianapolis, Indiana 46204-2770